

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 YVONNE MCDONALD,

11 Plaintiff,

12 v.

13 EMPLOYMENT SECURITY DEPARTMENT,
14 et al.,

Defendants.

No. 13-5248-RBL

ORDER

(Dkt. #1)

15 Plaintiff has applied to proceed *in forma pauperis* in this action arising from the alleged
16 termination of her employment due to her race. A district court may permit indigent litigants to
17 proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. §
18 1915(a). The court has broad discretion in resolving the application, but “the privilege of
19 proceeding *in forma pauperis* in civil actions for damages should be sparingly granted.” *Weller*
20 *v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a
21 court should “deny leave to proceed *in forma pauperis* at the outset if it appears from the face of
22 the proposed complaint that the action is frivolous or without merit.” *Tripathi v. First Nat'l Bank*
23 & Trust, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. §
24 1915(e)(2)(B)(i). An *in forma pauperis* complaint is frivolous if “it ha[s] no arguable substance
25 in law or fact.” *Id.* (citing *Rizzo v. Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v.*
26 *Murphy*, 745 F.2d 1221, 1228 (9th Cir. 1984)).

1 The Court does not deny *in forma pauperis* status lightly, especially where a Plaintiff
2 alleges racial discrimination. However, the proposed complaint lacks allegations on which relief
3 could be granted.

4 For the reasons stated above, the Application to Proceed *In Forma Pauperis* (Dkt. #1) is
5 **DENIED**. Plaintiff has **15 days** from the date of this order to pay the filing fees or the case will
6 be dismissed.

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8 Dated this 23rd day of April 2013.

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10 
11 RONALD B. LEIGHTON

12 UNITED STATES DISTRICT JUDGE